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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/009,021	03/19/2002	Tadashi Ishibashi	9793822-0158	6238
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EXAMINER
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THOMPSON, CAMIE S

ART UNIT	PAPER NUMBER
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1774

DATE MAILED: 05/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/009,021	<b>Applicant(s)</b> ISHIBASHI ET AL.	
	<b>Examiner</b> Camie S. Thompson	<b>Art Unit</b> 1774	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1)  Responsive to communication(s) filed on Amendment filed 2/16/03.
- 2a)  This action is **FINAL**.
- 2b)  This action is non-final.
- 3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4)  Claim(s) 29-35, 37, 38, 49-53 and 56-61 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5)  Claim(s) \_\_\_\_\_ is/are allowed.
- 6)  Claim(s) 29-35, 37-38, 49-53 and 56-61 is/are rejected.
- 7)  Claim(s) \_\_\_\_\_ is/are objected to.
- 8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9)  The specification is objected to by the Examiner.
- 10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All    b)  Some \*    c)  None of:
    - 1.  Certified copies of the priority documents have been received.
    - 2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    - 3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1)  Notice of References Cited (PTO-892)
- 2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.
- 4)  Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.
- 5)  Notice of Informal Patent Application (PTO-152)
- 6)  Other: \_\_\_\_\_.

**DETAILED ACTION**

1. Applicant's amendment and accompanying remarks filed February 16, 2006 have been acknowledged.
2. Examiner acknowledges amended claims 56-58.
3. The rejection of claim 56-58 under 35 U.S.C. 112, second paragraph is withdrawn due to applicant's cancellation of claims 56-58.
4. The rejection of claims 29-35, 37-38, 49-53 and 56-61 under 35 U.S.C. 103(a) as being unpatentable over Tadashi et al., U.S. 6,265,088 is withdrawn due to applicant's argument.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

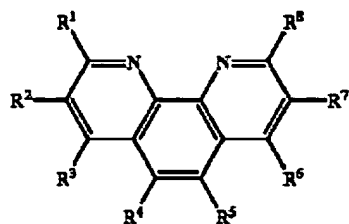
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 29-35, 37-38, 49-53 and 56-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kijima et al., U.S. Patent Number 6,633,122.

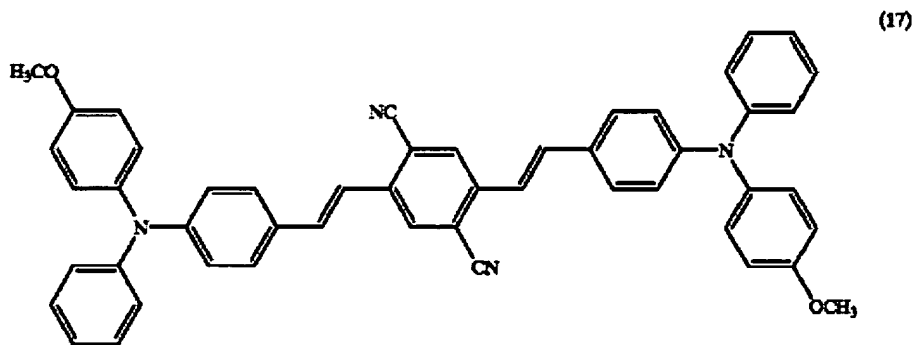
Kijima discloses an electroluminescent device comprising a laminated body of the organic layers (the hole transfer layer, the emission layer and the electron transfer layer) is provided between the cathode and anode (see Figure 3 and column 3, lines 13-23). Additionally, the reference discloses a hole block layer that is provided between the hole transfer layer and the electron

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transfer layer (see column 7, lines 5-6). Column 7, line 31-column 9, line 50 discloses that the hole block layer comprises a phenanthroline derivative with the following formula



Column 20, lines 30-68 of the Kijima reference discloses that the hole transfer layer comprises an aminostyryl compound, BSB-BCN,

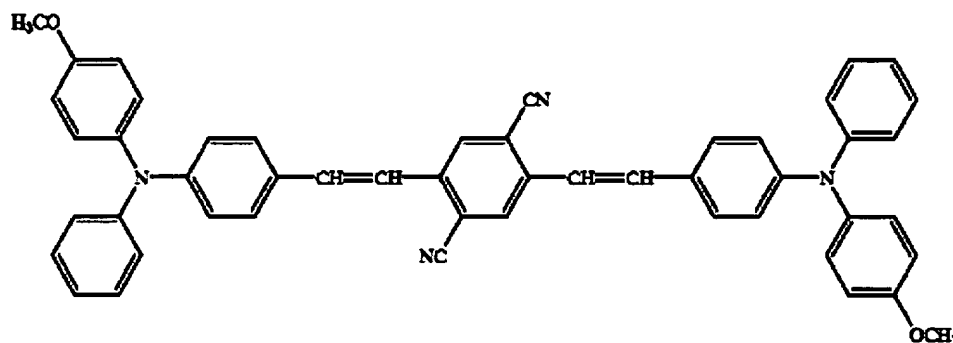


It is disclosed in column 14, lines 54-68 that the hole transfer material can also comprise other styrylamines and their derivatives. Column 15, lines 10-20 of the reference disclose that the

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electron transfer material can be bis-styryl and its derivatives and that the emission layer can comprise BSB-BCN as well as electron transfer materials doped with Nile red or DCM or DCM2. The Kijima reference does not provide the same aminostyryl compound as in the instant claim

Instant formula 15-1



However, a prima facie case of obviousness may be made when compounds which are position isomers are generally of sufficiently close structural similarity that there is a presume expectation that such compounds possess similar properties *in re Wilder*, F.2d 457, 195 USPQ 426 (CCPA 1977). Therefore, it would have been obvious to one of ordinary skill in the art to recognize that the BSB-BCN aminostyryl compound of the Kijima reference is in close structural similarity to compound 15-1 of the instant claims and would read on the instant claims.


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***Response to Arguments***

7. Applicant's arguments with respect to the instant claims have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Camie S. Thompson whose telephone number is (571) 272-1530. The examiner can normally be reached on Monday through Friday from 7:30 am to 4:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena L Dye, can be reached at (571) 272-3186. The fax phone number for the Group is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
RENA DYE  
SUPERVISORY PATENT EXAMINER  
A.U. 1774 4/28/07